

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION

PHILLIP SANDERS,

Plaintiff,

vs.

MICHAEL J. ASTRUE,
Commissioner of Social Security,

Defendant.

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Case No. 1:10CV209 JCH

MEMORANDUM AND ORDER

This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Thomas C. Mummert, III, filed June 2, 2011 (Doc. No. 17). Pursuant to 28 U.S.C. § 636, the Court referred this matter to Magistrate Judge Mummert. Magistrate Judge Mummert recommends that the Court reverse and remand this matter to the Commissioner for further proceedings, pursuant to Sentence Four of 42 U.S.C. § 405(g). Neither party has filed objections or otherwise responded to the Report and Recommendation.

After review of the entire record in this matter, the Court concurs in the Magistrate Judge's findings, and will adopt the Report and Recommendation. Accordingly, the Court will reverse and remand this matter to the Commissioner for further administrative proceedings. Specifically, the Administrative Law Judge will be directed to further develop the record, to not rely on an opinion by a single decision maker, and to further evaluate whether Plaintiff's use of a cane is medically necessary. (Doc. No 17, p. 2).

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the Magistrate Judge (Doc. No. 17) is adopted and incorporated herein.

IT IS FURTHER ORDERED that, pursuant to sentence four of 42 U.S.C. § 405(g), this matter is reversed and remanded to the Commissioner for further proceedings consistent with the Magistrate Judge's Report and Recommendation and with this Order. A separate Order of Remand shall accompany this Order.

Dated this 17th day of June, 2011.

/s/ Jean C. Hamilton
UNITED STATES DISTRICT JUDGE